

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to: *All Consolidated Amended Complaint Plaintiffs at ECF No. 3463*

**NOTICE OF PLAINTIFFS’ MOTION TO AMEND THE COURT’S FEBRUARY 7, 2023
ORDER TO CERTIFY CONTROLLING QUESTIONS OF LAW FOR
INTERLOCUTORY APPEAL UNDER 28 U.S.C. § 1292(b)
AND TO STAY FURTHER PROCEEDINGS AS TO
THE KINGDOM OF SAUDI ARABIA**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law and the prior proceedings and pleadings in this litigation, and pursuant to 28 U.S.C. § 1292(b), Plaintiffs who have asserted claims against the Kingdom of Saudi Arabia through the Plaintiffs’ Executive Committees’ Consolidated Amended Complaint at ECF No. 3463 (“CAC”), respectfully move to amend the Court’s February 7, 2023 Memorandum Decision and Order (ECF No. 8862), to certify for interlocutory appeal this Court’s order that JASTA’s aiding and abetting and conspiracy causes of action are not available in cases against foreign state defendants, and its associated determination that the Second Circuit Court of Appeals’ decisions in *Kaplan v. Lebanese Canadian Bank, SAL*, 999 F. 3d 842 (2d Cir. 2021), and *Honickman v. BLOM Bank SAL*, 6 F.4th 487 (2d Cir. 2021), are inapposite to Plaintiffs’ claims against the Kingdom of Saudi Arabia. Plaintiffs further move this Court to stay further proceedings as to the Kingdom during the interlocutory appeal process.

Dated: February 17, 2023

Respectfully submitted,

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